

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. John Henry Simes

Docket No. 5:11-CR-194-2D

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of John Henry Simes, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute and Distribute 28 Grams or More of Cocaine Base (Crack) and 500 Grams or More of Cocaine, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on July 19, 2012, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

John Henry Simes was released from custody on September 02, 2016, at which time the term of supervised release commenced. The court received notice of the defendant's use of cocaine in March 2017. He was referred for substance abuse treatment and continued on supervision. In June 2017, the court was informed of additional use of cocaine and his acceptance into an inpatient treatment program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Simes has now been accepted into the HOPE Court Program which he believes will provide additional support and structure for his sobriety. As such, additional conditions of supervision are required for his participation. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Julie Wise Rosa
Julie Wise Rosa
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8675
Executed On: May 03, 2018

ORDER OF THE COURT

Considered and ordered this 11 day of May, 2018, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge